

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

KELVIN MALLY,

Defendant.

X

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INDICTMENT

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22 Cr.

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X

22 CRIM

029

COUNT ONE

(Felon in Possession of Ammunition)

The Grand Jury charges:

1. On or about October 15, 2021, in the Southern District of New York and elsewhere, KELVIN MALLY, the defendant, knowing that he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess ammunition, to wit, one 9-millimeter Aguila shell casing and 22 9-millimeter cartridges, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(1),
924(a)(2), and 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offense alleged in Count One of this Indictment, KELVIN MALLY, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any and all firearms and ammunition involved in or used

in said offenses, including but not limited to 9-millimeter cartridges.

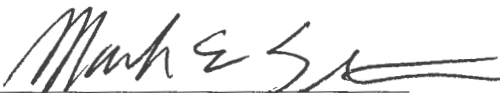
Substitute Assets Provision

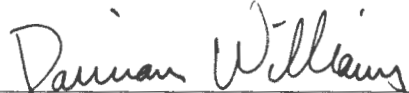
3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 924;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


DAMIAN WILLIAMS
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT

22 Cr.

(18 U.S.C. §§ 922(g)(1),
924(a)(2), and 2.)

DAMIAN WILLIAMS
United States Attorney


Foreperson

1/13/22

Filed Indictment
Case assigned to Judge Hellerstein
Arrest warrant issued

USMT Freeman

MG